

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

JO ANN HOWARD AND ASSOCIATES, )  
P.C., *et al.*, )  
 )  
Plaintiffs, )  
v. )  
 )  
J. DOUGLAS CASSITY, *et al.*, )  
 )  
Defendants. )

Cause No. 4:09-CV-01252-ERW

**NATIONAL CITY’S AND HERBERT MORISSE’S  
SUPPLEMENTAL DEPOSITION LIST**

COME NOW Defendants National City Bank and PNC Bank, N.A., (together, “National City”) and Herbert Morisse (collectively, “Defendants”) and, pursuant to Paragraph II.4 of the Court’s Case Management Order [ECF No. 1188] and Docket Text Order dated January 12, 2015 [ECF No. 2095],<sup>1</sup> hereby submit a supplemental list of depositions or parts thereof that may be offered in evidence.

This submission is not a commitment that Defendants will call any particular witness or introduce any particular evidence at trial. Defendants reserve the right to call other parties and all persons identified as witnesses by other parties; to call additional witnesses to authenticate, or otherwise lay the foundation for admission of, evidence, or for purposes of impeachment or rebuttal; and to call any person whose deposition testimony has been designated by any party. Defendants further reserves the right to supplement or modify the attached list based upon the Court’s rulings, including on summary judgment, *Daubert*, and in limine motions, and any issues, exhibits, or witnesses presented by any party.

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<sup>1</sup> “Pretrial Compliance Deposition Designations for January 2015 Depositions shall be filed no later than January 21, 2015. Counter-Designations for said Depositions shall be filed no later than January 28, 2015.” Docket Text Order, Jan. 12, 2015 [ECF No. 2095].

Attached hereto as Exhibit A is a supplemental list of depositions or parts thereof that Defendants may offer in evidence at trial.

Dated: January 21, 2015

Respectfully submitted,

By: /s/ Teagan James Gregory

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### **CERTIFICATE OF SERVICE**

I hereby certify that on January 21, 2015, the foregoing NATIONAL CITY'S AND HERBERT MORISSE'S SUPPLEMENTAL DEPOSITION LIST was filed electronically with the Clerk of Court and served by operation of the Court's electronic filing system upon all counsel of record in this case participating in Electronic Case Filing.

I hereby further certify that the foregoing was mailed by United States Postal Service to the following non-participants in Electronic Case Filing:

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/s/ Teagan James Gregory  
Teagan James Gregory  
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